

# EXHIBIT A

**COSTELLO & MAINS, LLC**

By: Kevin M. Costello  
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18000 Horizon Way, Suite 800  
Mount Laurel, NJ 08054  
(856) 727-9700  
Attorneys for Plaintiff

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MARIA IRIS JENNITTE OLIVERO,  
  
Plaintiff,

vs.

AMAZON LOGISTICS, INC. and JOHN  
DOES 1-5 AND 6-10,  
  
Defendants.

:  
: SUPERIOR COURT OF NEW JERSEY  
: CUMBERLAND COUNTY - LAW DIV.

:  
: CIVIL ACTION

:  
: DOCKET NO:

:  
: **COMPLAINT AND JURY DEMAND**  
:

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Plaintiff, Maria Iris Jennitte Olivero, residing in Cumberland County, New Jersey, by  
way of Complaint against the Defendants, says:

**Preliminary Statement**

Plaintiff brings suit under the New Jersey Law Against Discrimination (“LAD”) alleging  
disability discrimination, perception of disability discrimination, failure to accommodate and  
retaliation, as well as violation of the doctrine set forth in *Pierce v. Ortho Pharmaceutical*.

**Identification of Parties**

1. Plaintiff Maria Iris Jennitte Olivero is, at all relevant times herein, a resident of  
Millville, New Jersey and was an employee of the Defendants as that term is defined under the  
LAD.

2. Defendant Amazon Logistics, Inc. (“Amazon”) is, at all relevant times herein, an  
entity conducting business in the State of New Jersey at 241 Mantua Grove Road, West

Deptford, New Jersey 08066, and was Plaintiff's employer as that term is defined under the LAD.

3. Defendants John Does 1-5 and 6-10, currently unidentified, are individuals and/or entities who, on the basis of their direct acts or on the basis of *respondeat superior*, are answerable to the Plaintiff for the acts set forth herein.

## General Allegations

4. Plaintiff began working for Defendant Amazon as an employee on or around July 28, 2020.

5. Plaintiff suffers from Irritable Bowels Syndrome (“IBS”), and, as such, is disabled within the meaning of that term under the LAD.

6. Plaintiff's disability required the use of the restroom between two (2) and six (6) times a day.

7. In or around November 2020, Plaintiff's manager (name unknown) communicated to Plaintiff that she should obtain a doctor's note regarding the bathroom breaks.

8. In response, Plaintiff advised her manager of her disability.

9. Defendants were thus informed that Plaintiff required a reasonable accommodation for her disability under the LAD.

10. On or about January 20, 2021, Plaintiff's manager, Jada (last name unknown), informed Plaintiff that she was going to be written up due to the frequent bathroom breaks.

11. Jada informed Plaintiff that she would be required to provide a doctor's note by January 25, 2021.

12. Accordingly, Plaintiff contacted her doctor's office and scheduled the earliest appointment available on January 26, 2021.

13. Plaintiff thereafter attended this appointment on January 26, 2021, but was unable to obtain the doctor's note until January 27, 2021 due to issues with the provider's offices.

14. On January 26, 2021, Plaintiff appeared for work.

15. At that time, Plaintiff was informed by Jada that it was "too late" to provide a doctor's note and that she was being terminated by Defendants.

16. Defendants thus failed to provide Plaintiff with a reasonable accommodation for her known disability in violation of the LAD.

17. Defendants further failed to engage in any interactive process to identify any reasonable accommodation for Plaintiff's known disability in violation of the LAD.

18. At all times, Plaintiff was able to perform the essential functions of her job with or without reasonable accommodations for her known disability.

19. Plaintiff suffered an adverse employment action when Defendants terminated her on or about January 26, 2021.

20. A motivating and/or determinative factor in Defendants' decision to terminate Plaintiff was Plaintiff's disability.

21. A further or alternative motivating and/or determinative factor in Defendant's decision to terminate Plaintiff was Defendants' perception of Plaintiff's disability.

22. As a result of Defendants' actions, Plaintiff has suffered economic and non-economic harm, including emotional distress.

23. To the extent that members of Defendants' upper management participated in the above discrimination and/or were willfully indifferent to the same, because the discrimination was especially egregious, punitive damages are warranted.

## COUNT I

**LAD Disability Discrimination**

24. Plaintiff hereby repeats and re-alleges paragraphs 1 through 23, as though fully set forth herein.

25. For the reasons set forth above, the Defendants are liable to Plaintiff for disability discrimination in violation of the LAD.

WHEREFORE, Plaintiff demands judgment against the Defendants jointly, severally and in the alternative, together with compensatory damages, non-economic compensatory damages, punitive damages, interest, cost of suit, attorneys' fees, enhanced attorneys' fees, equitable back pay, equitable front back, equitable reinstatement, and any other relief the Court deems equitable and just.

**COUNT II**

**LAD Perception of Disability Discrimination**

26. Plaintiff hereby repeats and re-alleges paragraphs 1 through 25, as though fully set forth herein.

27. For the reasons set forth above, the Defendants are liable to Plaintiff for perception of disability discrimination in violation of the LAD.

WHEREFORE, Plaintiff demands judgment against the Defendants jointly, severally and in the alternative, together with compensatory damages, non-economic compensatory damages, punitive damages, interest, cost of suit, attorneys' fees, enhanced attorneys' fees, equitable back pay, equitable front back, equitable reinstatement, and any other relief the Court deems equitable and just.

### COUNT III

#### **LAD – Failure to Accommodate**

28. Plaintiff hereby repeats and re-alleges paragraphs 1 through 27, as though fully set forth herein.

29. For the reasons set forth above, the Defendants are liable to Plaintiff for failure to accommodate disability in violation of the LAD.

WHEREFORE, Plaintiff demands judgment against the Defendants jointly, severally and in the alternative, together with compensatory damages, non-economic compensatory damages, punitive damages, interest, cost of suit, attorneys' fees, enhanced attorneys' fees, equitable back pay, equitable front back, equitable reinstatement, and any other relief the Court deems equitable and just.

### COUNT IV

#### **Retaliation Under the LAD**

30. Plaintiff hereby repeats and re-alleges paragraphs 1 through 29, as though fully set forth herein.

31. Plaintiff engaged in protected activity under the LAD in that she made a request for a reasonable accommodation.

32. Subsequent to making the accommodation request, Plaintiff was subjected to adverse employment actions including, but not limited to, being terminated.

33. A determinative and/or motivating factor in Defendants' decision to terminate Plaintiff from Defendants' decision to terminated Plaintiff from Defendants' employment was Plaintiff's request for a reasonable accommodation.

WHEREFORE, Plaintiff demands judgment against the Defendants jointly, severally and in the alternative, together with compensatory damages, non-economic compensatory damages,

punitive damages, interest, cost of suit, attorneys' fees, enhanced attorneys' fees, equitable back pay, equitable front back, equitable reinstatement, and any other relief the Court deems equitable and just.

## **COUNT V**

### **Request for Equitable Relief**

34. Plaintiff hereby repeats and re-alleges paragraphs 1 through 33 as though fully set forth herein.

35. Plaintiff requests the following equitable remedies and relief in this matter.

36. Plaintiff requests a declaration by this Court that the practices contested herein violate New Jersey law as set forth herein.

37. Plaintiff requests that this Court order the defendants to cease and desist all conduct inconsistent with the claims made herein going forward, both as to the specific Plaintiff and as to all other individuals similarly situated.

38. To the extent that Plaintiff was separated from employment and to the extent that the separation is contested herein, Plaintiff requests equitable reinstatement, with equitable back pay and front pay.

39. Plaintiff requests, that in the event that equitable reinstatement and/or equitable back pay and equitable front pay is ordered to the Plaintiff, that all lost wages, benefits, fringe benefits and other remuneration is also equitably restored to the Plaintiff.

40. Plaintiff requests that the Court equitably order the Defendants to pay costs and attorneys' fees along with statutory and required enhancements to said attorneys' fees.

41. Plaintiff requests that the Court order the Defendants to alter their files so as to expunge any reference to which the Court finds violates the statutes implicated herein.

42. Plaintiff requests that the Court do such other equity as is reasonable, appropriate and just.

WHEREFORE, Plaintiff demands judgment against the Defendants jointly, severally and in the alternative, together with compensatory damages, punitive damages, interest, cost of suit, attorneys' fees, enhanced attorneys' fees, equitable back pay, equitable front pay, equitable reinstatement, and any other relief the Court deems equitable and just.

**COSTELLO & MAINS, LLC**

Dated: June 25, 2021

By: /s/ Kevin M. Costello  
Kevin M. Costello



**DEMAND TO PRESERVE EVIDENCE**

1. All Defendants are hereby directed and demanded to preserve all physical and electronic information pertaining in any way to Plaintiff's employment, to Plaintiff's cause of action and/or prayers for relief, to any defenses to same, and pertaining to any party, including, but not limited to, electronic data storage, closed circuit TV footages, digital images, computer images, cache memory, searchable data, emails, spread sheets, employment files, memos, text messages and any and all online social or work related websites, entries on social networking sites (including, but not limited to, Facebook, twitter, MySpace, etc.), and any other information and/or data and/or things and/or documents which may be relevant to any claim or defense in this litigation.

2. Failure to do so will result in separate claims for spoliation of evidence and/or for appropriate adverse inferences.

**COSTELLO & MAINS, LLC**

By: /s/ Kevin M. Costello  
Kevin M. Costello

**JURY DEMAND**

Plaintiff hereby demands a trial by jury.

**COSTELLO & MAINS, LLC**

By: /s/ Kevin M. Costello  
Kevin M. Costello

**RULE 4:5-1 CERTIFICATION**

1. I am licensed to practice law in New Jersey and am responsible for the captioned matter.
2. I am aware of no other matter currently filed or pending in any court in any jurisdiction which may affect the parties or matters described herein.

**COSTELLO & MAINS, LLC**

By: /s/ Kevin M. Costello  
Kevin M. Costello

**DESIGNATION OF TRIAL COUNSEL**

Kevin M. Costello, Esquire, of the law firm of Costello & Mains, LLC, is hereby-designated trial counsel.

**COSTELLO & MAINS, LLC**

By: /s/ Kevin M. Costello  
Kevin M. Costello

**COSTELLO & MAINS, LLC**

By: Bryan J. Horen  
 Attorney I.D. No. 280462019  
 18000 Horizon Way, Suite 800  
 Mount Laurel, NJ 08054  
 (856) 727-9700  
 Attorneys for Plaintiff

MARIA IRIS JENNITTE OLIVERO,	SUPERIOR COURT OF NEW JERSEY
Plaintiff,	CUMBERLAND COUNTY - LAW DIV.
vs.	CIVIL ACTION
AMAZON LOGISTICS, INC. and JOHN	DOCKET NO: CUM-L-456-21
DOES 1-5 AND 6-10,	
Defendants.	<b>SUMMONS</b>

**From The State of New Jersey to the Defendant Named Above:**

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at [http://www.judiciary.state.nj.us/prose/10153\\_deptyclerklawref.pdf](http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf)) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiffs' attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at [http://www.judiciary.state.nj.us/prose/10153\\_deptyclerklawref.pdf](http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf)

/s/ Michelle M. Smith  
Clerk of the Superior Court

DATED: July 7, 2021

<b>Name of Defendant to be Served:</b>	<b>Amazon.com Services, Inc.</b>
<b>Address of Defendant to be Served:</b>	<b>c/o Corporation Service Company</b>
	<b>Princeton South Corporate Center</b>
	<b>100 Charles Ewing Blvd, Suite 160</b>
	<b>Ewing, NJ 08628</b>

**ATLANTIC COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division, Direct Filing  
1201 Bacharach Blvd., First Fl.  
Atlantic City, NJ 08401

**LAWYER REFERRAL**

(609) 345-3444  
**LEGAL SERVICES**  
(609) 348-4200

**BERGEN COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division, Room 115  
Justice Center, 10 Main St.  
Hackensack, NJ 07601

**LAWYER REFERRAL**

(201) 488-0044  
**LEGAL SERVICES**  
(201) 487-2166

**BURLINGTON COUNTY:**

Deputy Clerk of the Superior Court  
Central Processing Office  
Attn: Judicial Intake  
First Fl., Courts Facility  
49 Rancocas Road  
Mt. Holly, NJ 08060

**LAWYER REFERRAL**

(609) 261-4862  
**LEGAL SERVICES**  
(800) 496-4570

**CAMDEN COUNTY:**

Deputy Clerk of the Superior Court  
Civil Processing Office  
Hall of Justice  
1<sup>st</sup> Fl., Suite 150  
101 South 5<sup>th</sup> Street  
Camden, NJ 08103

**LAWYER REFERRAL**

(856) 964-4520  
**LEGAL SERVICES**  
(856) 964-2010

**CAPE MAY COUNTY:**

Deputy Clerk of the Superior Court  
9 N. Main Street  
Cape May Courthouse, NJ 08210

**LAWYER REFERRAL**

(609) 463-0313  
**LEGAL SERVICES**  
(609) 465-3001

**CUMBERLAND COUNTY:**

Deputy Clerk of the Superior Court  
Civil Case Management Office  
Broad & Fayette Streets  
P.O. Box 10  
Bridgeton, NJ 08302

**LAWYER REFERRAL**

(856) 692-6207  
**LEGAL SERVICES**  
(856) 451-0003

**ESSEX COUNTY:**

Deputy Clerk of the Superior Court  
Civil Customer Service  
Hall of Records, Room 201  
465 Dr. Martin Luther King Jr. Blvd.  
Newark, NJ 07102

**LAWYER REFERRAL**

(973) 622-6204  
**LEGAL SERVICES**  
(973) 624-4500

**GLOUCESTER COUNTY:**

Deputy Clerk of the Superior Court  
Civil Case Management Office  
Attn: Intake  
First Fl. Court House  
Woodbury, NJ 08096

**LAWYER REFERRAL**

(856) 848-4589  
**LEGAL SERVICES**  
(856) 848-5360

**HUDSON COUNTY:**

Deputy Clerk of the Superior Court  
Superior Court, Civil Records Dept.  
Brennan Court House – 1<sup>st</sup> Floor  
583 Newark Avenue  
Jersey City, NJ 07306

**LAWYER REFERRAL**

(201) 798-2727  
**LEGAL SERVICES**  
(201) 792-6363

**HUNTERDON COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division  
65 Park Avenue  
Flemington, NJ 08822

**LAWYER REFERRAL**

(908) 735-2611  
**LEGAL SERVICES**  
(908) 782-7979

**MERCER COUNTY:**

Deputy Clerk of the Superior Court  
Local Filing Office, Courthouse  
175 S. Broad Street, P.O. Box 8068  
Trenton, NJ 08650

**LAWYER REFERRAL**

(609) 585-6200  
**LEGAL SERVICES**  
(609) 695-6249

**MIDDLESEX COUNTY:**

Deputy Clerk of the Superior Court  
Middlesex Vicinage  
2<sup>nd</sup> Floor – Tower  
56 Paterson Street  
New Brunswick, NJ 08903

**LAWYER REFERRAL**

(732) 828-0053  
**LEGAL SERVICES**  
(732) 866-0020

**MONMOUTH COUNTY:**

Deputy Clerk of the Superior Court  
Court House  
71 Monument Park  
P.O. Box 1269  
Freehold, NJ 07728

**LAWYER REFERRAL**

(732) 431-5544  
**LEGAL SERVICES**  
(732) 866-0020

**MORRIS COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division  
Washington and Court Streets  
P.O. Box 910  
Morristown, NJ 07963

**LAWYER REFERRAL**

(973) 267-5882  
**LEGAL SERVICES**  
(973) 285-6911

**OCEAN COUNTY:**

Deputy Clerk of the Superior Court  
Court House, Room 119  
118 Washington Street  
Toms River, NJ 08754

**LAWYER REFERRAL**

(732) 240-3666  
**LEGAL SERVICES**  
(732) 341-2727

**PASSAIC COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division  
Court House  
77 Hamilton Street  
Paterson, NJ 07505

**LAWYER REFERRAL**

(973) 278-9223  
**LEGAL SERVICES**  
(973) 523-2900

**SALEM COUNTY:**

Deputy Clerk of the Superior Court  
92 Market Street  
P.O. Box 29  
Salem, NJ 08079

**LAWYER REFERRAL**

(856) 678-8363  
**LEGAL SERVICES**  
(856) 451-0003

**SOMERSET COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division  
P.O. Box 3000  
40 North Bridge Street  
Somerville, NJ 08876

**LAWYER REFERRAL**

(908) 685-2323  
**LEGAL SERVICES**  
(908) 231-0840

**SUSSEX COUNTY:**

Deputy Clerk of the Superior Court  
Sussex County Judicial Center  
43-47 High Street  
Newton, NJ 07860

**LAWYER REFERRAL**

(973) 267-5882  
**LEGAL SERVICES**  
(973) 383-7400

**UNION COUNTY:**

Deputy Clerk of the Superior Court  
1<sup>st</sup> Fl., Court House  
2 Broad Street  
Elizabeth, NJ 07207

**LAWYER REFERRAL**

(908) 353-4715  
**LEGAL SERVICES**  
(908) 354-4340

**WARREN COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division Office  
Court House  
413 Second Street  
Belvedere, NJ 07823

**LAWYER REFERRAL**

(973) 267-5882  
**LEGAL SERVICES**  
(973) 475-2010